

**AFFIDAVIT OF LAURA BARKE**

I, Laura Barke, state the following:

1. I am an Assistant United States Attorney (AUSA) in the Civil Division of the United States Attorney's Office for the Southern District of Illinois.

2. On or about December 18, 2020, AUSA Scott Verseman asked me to serve as a filter agent for Emmitt Tiner's jail calls. I am not part of the prosecution team in United States v. Emmitt Tiner, Case No. 20-cr-30166 and am not supervised by AUSA Verseman.

3. AUSA Verseman had previously asked me to serve as a filter agent for other sets of materials involving Tiner. Specifically, I reviewed voicemail recordings from Tiner to a cooperating victim and packages sent by Tiner to cooperating victims. The packages included hard copy documents and flash drives containing videos recorded by Tiner. In these materials, Tiner made certain unsolicited comments about speaking with former Federal Defender Preston Humphrey. Even though the materials had been sent to the victims, I reviewed and redacted all of Tiner's statements relating to his conversations with Humphrey from the materials. I then returned the redacted versions to special agents on the prosecution team.

4. AUSA Verseman provided a written filter protocol for me to follow in my review of Tiner's jail calls. A copy of the email containing that protocol is attached as Exhibit A.

5. Among other instructions, AUSA Verseman asked me to: (1) review the recorded jailhouse calls; (2) determine which calls involved an attorney or Tiner's spouse, Matissia Holt; (3) stop listening to any calls if I determined that an attorney or Ms. Holt was a participant; (4) create a log indicating which calls involved an attorney or Ms. Holt; and (5) provide the log to Internal Revenue Service – Criminal Investigations Special Agent Brad Roessler. AUSA

Verseman further instructed me to not communicate the substance of any calls involving any attorney or Ms. Holt to him or any of the agents working on this case.

6. In December 2020, I received a compact disk from SA Roessler containing one hundred and one (101) recorded jail calls.

7. I reviewed the jail calls following the filter protocol and created a log to note any calls between Tiner and his attorney or Holt. A copy of that log is attached as Exhibit B.

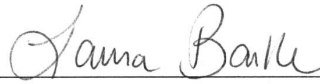
8. Because I stopped listening to each call once I determined Tiner's attorney or office staff was on the line, I did not hear the substance of any conversation between Tiner and his attorney. I noted these calls, as well as calls involving Ms. Holt, on the log.

9. During my review, I asked AUSA Verseman two questions. First, I asked whether I should listen to Tiner's calls with Holt to determine if Tiner had given her instructions to threaten or harm witnesses. AUSA Verseman instructed me not to listen to those calls. Second, I asked if I should listen to Tiner's calls with third parties to determine whether Tiner discussed communications with his attorneys in those calls. AUSA Verseman advised me to take a conservative approach by listening to Tiner's calls with third parties and noting any calls where he discussed attorney-client communications so they could be excluded from the prosecution team. I then identified these calls on the log as calls that Agent Roessler should not listen to. A copy of my email exchange with AUSA Verseman is attached as Exhibit C.

10. On or about January 4, 2021, I emailed a copy of my completed log to SA Roessler.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 21, 2021.

A handwritten signature in cursive script, reading "Laura Barke", written in black ink.

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**LAURA BARKE**

Assistant United States Attorney

**Verseman, Scott (USAILS)**

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**From:** Verseman, Scott (USAILS)  
**Sent:** Friday, December 18, 2020 1:05 PM  
**To:** Barke, Laura (USAILS)  
**Cc:** Roessler, Bradley R. (SI) (TFO) (FBI)  
**Subject:** Filter Team Review of Jail Calls

Laura:

Thanks again for agreeing to help us out with the Taint review of the Tiner's jailhouse calls. I know we met briefly in person to discuss this, but I wanted to document what we're asking of you.

As you know, Tiner has threatened to physically harm some of the victims/witnesses in this case. As a matter of due diligence, and for the safety of the victims/witnesses, the agents would like to listen to the jailhouse calls Tiner has made since he was arrested to ensure that he has not asked a friend or associate to harm anyone.

As you know, we are not permitted to listen to any calls between Tiner and his attorney(s). In addition, DOJ's PRAO office has advised us not to review any evidence that may be covered by one of the spousal privileges.

We would like you to briefly listen to each of the calls to determine whether the other party on the line is either an attorney or Tiner's wife. Once you have made that determination, please stop your review of the call and note on the log whether the other party is an attorney or Tiner's wife. After we receive the log with your notations, the agents will listen to all calls that do not involve an attorney or Tiner's wife.

You are not permitted to communicate the substance of any calls involving an attorney or Tiner's wife to me or any of the agents working on this case.

For purposes of assisting you in your review, please be advised of the following:

- 1) Tiner's wife is named Matissia Holt. I will ask Agent Roessler to forward to you any known telephone numbers for Ms. Holt.
- 2) Tiner is represented in the present case in the SD IL by Bill Margulis of St. Louis. The numbers I am aware for Mr. Margulis are: 314-390-0234; 314-390-0233; and 314-308-4958.
- 3) Tiner also claimed at one point to be represented by Federal Defender Preston Humphrey. The main office number for the Federal Defender's Office is 618-482-9050. That being said, any call with the "482" prefix is likely to involve someone from the Federal Defender's Office.

After you have finished your review, please notify Agent Roessler and provide him with the call log with your notations indicating which calls he is permitted to listen to.

Thank you again for your help. It is greatly appreciated!

Scott

Scott A. Verseman  
Assistant United States Attorney  
Chief, Fraud & Corruption Unit

9 Executive Drive  
Fairview Heights, IL 62208  
Desk: (618) 628-3713  
Cell: (618) 304-4978



index	site name	call time	called party	date (t)	originating port	name	account #	time code	USAO Filter Review - Identity of Call Recipient	USAO Filter Review - Notes
1	St Clair County Jail, IL	11/19/2020 12:15	6185304688	11/19/2020 12:15	14 M Inform 1 TDD	EMAMTT TNER		471024 Call Ended	Wife	Ready for Agent Review
2	St Clair County Jail, IL	11/19/2020 12:44	630300614	11/19/2020 12:44	202 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
3	St Clair County Jail, IL	11/19/2020 12:45	6185304688	11/19/2020 12:45	19 M Inform 1 TDD	EMAMTT TNER		471024 Call Ended	Wife	Ready for Agent Review
4	St Clair County Jail, IL	11/19/2020 13:07	630300614	11/19/2020 13:07	708 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
5	St Clair County Jail, IL	11/19/2020 15:17	630300614	11/19/2020 15:17	688 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
6	St Clair County Jail, IL	11/19/2020 19:21	6185304688	11/19/2020 19:21	688 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
7	St Clair County Jail, IL	11/19/2020 19:41	6185304688	11/19/2020 19:41	900 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
8	St Clair County Jail, IL	11/19/2020 20:40	6185304688	11/19/2020 20:40	900 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
9	St Clair County Jail, IL	11/19/2020 21:01	6185304688	11/19/2020 21:01	888 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
10	St Clair County Jail, IL	11/20/2020 9:25	6185304688	11/20/2020 9:25	888 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
11	St Clair County Jail, IL	11/20/2020 9:42	6185304688	11/20/2020 9:42	888 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
12	St Clair County Jail, IL	11/20/2020 10:01	6185304688	11/20/2020 10:01	888 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
13	St Clair County Jail, IL	11/20/2020 10:39	6185304688	11/20/2020 10:39	888 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
14	St Clair County Jail, IL	11/20/2020 12:53	6185304688	11/20/2020 12:53	888 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
15	St Clair County Jail, IL	11/20/2020 15:12	630300614	11/20/2020 15:12	888 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
16	St Clair County Jail, IL	11/20/2020 15:31	6185304688	11/20/2020 15:31	888 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
17	St Clair County Jail, IL	11/20/2020 15:51	6185304688	11/20/2020 15:51	7 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor	Ready for Agent Review
18	St Clair County Jail, IL	11/20/2020 15:55	6185304688	11/20/2020 15:55	461 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor	Ready for Agent Review
19	St Clair County Jail, IL	11/20/2020 19:27	6185304688	11/20/2020 19:27	900 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
20	St Clair County Jail, IL	11/21/2020 11:25	6185304688	11/21/2020 11:25	900 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
21	St Clair County Jail, IL	11/21/2020 11:47	7195817070	11/21/2020 11:47	18 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
22	St Clair County Jail, IL	11/21/2020 12:51	7195817070	11/21/2020 12:51	17 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Daughter	Ready for Agent Review
23	St Clair County Jail, IL	11/21/2020 14:28	7195817070	11/21/2020 14:28	881 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Daughter	Ready for Agent Review
24	St Clair County Jail, IL	11/21/2020 19:27	6185304688	11/21/2020 19:27	19 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
25	St Clair County Jail, IL	11/21/2020 19:31	630300614	11/21/2020 19:31	744 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
26	St Clair County Jail, IL	11/21/2020 20:21	6185304688	11/21/2020 20:21	319 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor	Ready for Agent Review
27	St Clair County Jail, IL	11/21/2020 20:30	6185304688	11/21/2020 20:30	900 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor	Ready for Agent Review
28	St Clair County Jail, IL	11/22/2020 13:01	630300614	11/22/2020 13:01	401 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
29	St Clair County Jail, IL	11/22/2020 13:13	6185304688	11/22/2020 13:13	688 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
30	St Clair County Jail, IL	11/22/2020 20:06	6185304688	11/22/2020 20:06	6 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
31	St Clair County Jail, IL	11/22/2020 20:12	7195817070	11/22/2020 20:12	970 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Daughter	Ready for Agent Review
32	St Clair County Jail, IL	11/22/2020 21:05	6185304688	11/22/2020 21:05	23 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
33	St Clair County Jail, IL	11/22/2020 21:10	630300614	11/22/2020 21:10	338 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
34	St Clair County Jail, IL	11/23/2020 16:45	630300614	11/23/2020 16:45	8 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
35	St Clair County Jail, IL	11/23/2020 16:46	7195817070	11/23/2020 16:46	970 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Daughter	Ready for Agent Review
36	St Clair County Jail, IL	11/23/2020 17:03	630300614	11/23/2020 17:03	6 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
37	St Clair County Jail, IL	11/23/2020 17:13	630300614	11/23/2020 17:13	984 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
38	St Clair County Jail, IL	11/23/2020 12:46	6185304688	11/23/2020 12:46	900 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
39	St Clair County Jail, IL	11/23/2020 13:08	6185304688	11/23/2020 13:08	941 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
40	St Clair County Jail, IL	11/23/2020 13:25	7195817070	11/23/2020 13:25	900 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Daughter	Ready for Agent Review
41	St Clair County Jail, IL	11/23/2020 13:43	8179417888	11/23/2020 13:43	6 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor	Ready for Agent Review
42	St Clair County Jail, IL	11/23/2020 14:37	7735441902	11/23/2020 14:37	884 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor - Maurice	Ready for Agent Review
43	St Clair County Jail, IL	11/23/2020 16:37	7735441902	11/23/2020 16:37	258 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor - Maurice	Ready for Agent Review
44	St Clair County Jail, IL	11/23/2020 16:47	2179318601	11/23/2020 16:47	888 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor - Maurice	Ready for Agent Review
45	St Clair County Jail, IL	11/23/2020 17:13	630300614	11/23/2020 17:13	888 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
46	St Clair County Jail, IL	11/23/2020 19:24	7735441902	11/23/2020 19:24	32 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor - Tony	Ready for Agent Review
47	St Clair County Jail, IL	11/23/2020 19:30	630300614	11/23/2020 19:30	16 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor - Tony	Ready for Agent Review
48	St Clair County Jail, IL	11/23/2020 19:30	6185304688	11/23/2020 19:30	981 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
49	St Clair County Jail, IL	11/23/2020 11:33	6185304688	11/23/2020 11:33	877 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
50	St Clair County Jail, IL	11/23/2020 11:50	6185304688	11/23/2020 11:50	900 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
51	St Clair County Jail, IL	11/23/2020 12:53	6185304688	11/23/2020 12:53	900 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
52	St Clair County Jail, IL	11/23/2020 13:11	6185304688	11/23/2020 13:11	14 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor - Tony	Ready for Agent Review
53	St Clair County Jail, IL	11/23/2020 13:14	6185304688	11/23/2020 13:14	888 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor - Tony	Ready for Agent Review
54	St Clair County Jail, IL	11/23/2020 17:46	6185304688	11/23/2020 17:46	10 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor - Tony	Ready for Agent Review
55	St Clair County Jail, IL	11/23/2020 12:07	6185304688	11/23/2020 12:07	10 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
56	St Clair County Jail, IL	11/23/2020 12:35	6185304688	11/23/2020 12:35	51 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor	Ready for Agent Review
57	St Clair County Jail, IL	11/23/2020 12:41	6185304688	11/23/2020 12:41	44 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor	Ready for Agent Review
58	St Clair County Jail, IL	11/23/2020 18:26	630300614	11/23/2020 18:26	644 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Associate - Roark	Ready for Agent Review
59	St Clair County Jail, IL	11/23/2020 18:19	6185304688	11/23/2020 18:19	3 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Wife	Ready for Agent Review
60	St Clair County Jail, IL	11/23/2020 19:28	7195817070	11/23/2020 19:28	56 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Daughter	Ready for Agent Review
61	St Clair County Jail, IL	11/23/2020 19:35	6185304688	11/23/2020 19:35	21 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor - Tony	Ready for Agent Review
62	St Clair County Jail, IL	11/23/2020 19:38	6185304688	11/23/2020 19:38	688 M Inform 1 TDD	EMAMTT TNER		471024 Call Hang up	Neighbor	Ready for Agent Review



63 St Clair County Jail IL	11/09/2020 19:53	618304868	10 M Inform 1 TDO	EMMITT TNER	471024 Call Ended	Wife
64 St Clair County Jail IL	11/09/2020 21:08	7195617070	900 M Inform 1 TDO	EMMITT TNER	471024 Call duration limit exceeded	Daughter
65 St Clair County Jail IL	11/09/2020 21:42	618304868	860 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Wife
66 St Clair County Jail IL	12/1/2020 8:12	6186981806	7 M Inform 1 TDO	EMMITT TNER	471024 Call Ended	?
67 St Clair County Jail IL	12/1/2020 8:15	6186981806	11 M Inform 1 TDO	EMMITT TNER	471024 Call Ended	?
68 St Clair County Jail IL	12/1/2020 9:06	3143900233	890 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney
69 St Clair County Jail IL	12/1/2020 9:22	3143900233	810 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney
70 St Clair County Jail IL	12/1/2020 11:36	618304868	800 M Inform 1 TDO	EMMITT TNER	471024 Call duration limit exceeded	Wife
71 St Clair County Jail IL	12/1/2020 12:07	618304868	900 M Inform 1 TDO	EMMITT TNER	471024 Call duration limit exceeded	Wife
72 St Clair County Jail IL	12/1/2020 16:12	3143900233	680 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney
73 St Clair County Jail IL	12/2/2020 17:24	3143900233	400 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney
74 St Clair County Jail IL	12/9/2020 9:32	618304868	7 M Inform 1 TDO	EMMITT TNER	471024 Call Ended	Stephan - Tony
75 St Clair County Jail IL	12/9/2020 15:12	3143900233	890 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney
76 St Clair County Jail IL	12/9/2020 18:17	618304868	900 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Wife
77 St Clair County Jail IL	12/9/2020 19:36	7195617070	6 M Inform 1 TDO	EMMITT TNER	471024 Call Ended	Daughter
78 St Clair County Jail IL	12/9/2020 14:59	3143900233	290 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney's Paralegal
79 St Clair County Jail IL	12/9/2020 19:10	618304868	900 M Inform 1 TDO	EMMITT TNER	471024 Call duration limit exceeded	Wife
80 St Clair County Jail IL	12/9/2020 19:29	779561902	810 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Margaret - Maurice
81 St Clair County Jail IL	12/9/2020 19:44	7195617070	900 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Daughter
82 St Clair County Jail IL	12/9/2020 19:47	618304868	790 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Wife
83 St Clair County Jail IL	12/9/2020 20:02	7195617070	900 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Daughter
84 St Clair County Jail IL	12/7/2020 16:21	3143900233	170 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney
85 St Clair County Jail IL	12/9/2020 8:46	618304868	750 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Wife
86 St Clair County Jail IL	12/9/2020 16:43	6186981806	6 M Inform 1 TDO	EMMITT TNER	471024 Call Ended	?
87 St Clair County Jail IL	12/9/2020 17:06	3143900233	134 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney
88 St Clair County Jail IL	12/9/2020 20:29	618304868	640 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Wife
89 St Clair County Jail IL	12/9/2020 10:30	3143900233	290 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney
90 St Clair County Jail IL	12/9/2020 16:36	60300614	680 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Associate - Roak
91 St Clair County Jail IL	12/9/2020 16:50	7195617070	900 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Daughter
92 St Clair County Jail IL	12/10/2020 16:23	3143900233	254 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney
93 St Clair County Jail IL	12/10/2020 16:30	618304868	900 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Wife
94 St Clair County Jail IL	12/11/2020 15:44	3143900233	530 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney
95 St Clair County Jail IL	12/12/2020 14:29	618304868	350 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Wife
96 St Clair County Jail IL	12/14/2020 21:49	618304868	381 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Wife
97 St Clair County Jail IL	12/15/2020 13:49	618304868	11 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Wife
98 St Clair County Jail IL	12/15/2020 15:06	3143900233	871 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Attorney
99 St Clair County Jail IL	12/15/2020 16:34	618304868	890 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Wife
100 St Clair County Jail IL	12/15/2020 16:51	618304868	814 M Inform 1 TDO	EMMITT TNER	471024 Call Hang up	Wife
101 St Clair County Jail IL	12/15/2020 17:13	7195617070	8 M Inform 1 TDO	EMMITT TNER	471024 Call Ended	Daughter

Privileged  
Multiple discussions about daughter calling Tner's attorney and telling him information  
Privileged  
Ready for Agent Review  
Ready for Agent Review  
Ready for Agent Review  
Privileged  
Privileged  
Privileged  
Privileged  
Ready for Agent Review  
Privileged  
Privileged  
Ready for Agent Review  
Privileged  
Ready for Agent Review  
4:57 - 6:00 7:40 - 8:20 Discussions about what Tner's attorney said.  
2:25 - 2:45 8:52 - 9:25 Discussion about conversations with Tner's attorney.  
Privileged  
Multiple discussions about conversations with Tner's attorney.  
Privileged  
Ready for Agent Review  
Privileged  
Privileged  
5:35 - 5:45 6:37 9:50 Discussion about what Tner's attorney and Tner's attorney said.  
Ready for Agent Review  
Privileged  
Privileged  
Privileged  
Privileged  
Privileged  
Privileged  
Privileged  
Privileged  
Ready for Agent Review

**Weissler, Luke (USAILS)**

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**From:** Barke, Laura (USAILS)  
**Sent:** Monday, January 4, 2021 4:04 PM  
**To:** Roessler Bradley R  
**Subject:** FW: Filter Team Review of Jail Calls  
**Attachments:** Tiner Jail Calls Index.xlsx

Hi Brad,

Attached is a spreadsheet logging the Tiner jail calls. I copied the basic information from the index included on the CD and then added two columns of notes to identify the call recipient and whether the call contained any potentially privileged information. Please let me know if you have any questions.

I will be in the office tomorrow if you want to swing by and pick up the CD copy?

Thanks,

Laura Barke  
(618) 628-3710  
[laura.barke@usdoj.gov](mailto:laura.barke@usdoj.gov)

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**From:** Verseman, Scott (USAILS) <SVerseman@usa.doj.gov>  
**Sent:** Wednesday, December 23, 2020 4:19 PM  
**To:** Barke, Laura (USAILS) <LBarke@usa.doj.gov>  
**Subject:** RE: Filter Team Review of Jail Calls

Laura:

Yes, I think it would be best to continue a conservative approach. I think that would be a good idea for you to review the calls with third parties so that we can exclude any conversations where Tiner is disclosing what he has discussed with this attorneys.

Thank you. An Happy Holidays to you as well ☺

Scott

Scott A. Verseman  
Assistant United States Attorney  
Chief, Fraud & Corruption Unit  
9 Executive Drive  
Fairview Heights, IL 62208  
Desk: (618) 628-3713  
Cell: (618) 304-4978

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**From:** Barke, Laura (USAILS) <LBarke@usa.doj.gov>  
**Sent:** Wednesday, December 23, 2020 1:02 PM  
**To:** Verseman, Scott (USAILS) <SVerseman@usa.doj.gov>



**Cc:** Roessler, Bradley R. (SI) (TFO) (FBI) <[broessler@fbi.gov](mailto:broessler@fbi.gov)>

**Subject:** RE: Filter Team Review of Jail Calls

Hi Scott,

I'm in the process of reviewing the calls and have discovered there are several instances where the call recipient placed a separate call to Ms. Holt on another phone while still on the line with Tiner, and then placed the call with Ms. Holt on speaker so that Tiner and Holt could communicate. There is also another instance where the call recipient handed off the phone to Ms. Holt if they were in the same location. I'm noting those instances on the log and am now going back to skim through all the calls (except those directly with Ms. Holt or Tiner's attorney) to make sure I catch any additional conversations between Ms. Holt and Tiner.

This has now raised another issue. When scanning through the calls, I've noticed Tiner is sometimes discussing conversations with his attorneys in calls with third parties or asking the call recipient to relay information to his attorney. Would you like me to listen to all the calls between Tiner and third parties (not including Ms. Holt or Tiner's attorney) and note on the log if there is any reference to information potentially protected by the attorney-client privilege? Even though the information is being disclosed to a third party, I know we've taken a conservative approach to this issue in the past. Please let me know if you agree with that process, or if you would like me to handle it differently.

Thank you and hope you have a happy holidays!

Laura

Laura Barke  
(618) 628-3710  
[laura.barke@usdoj.gov](mailto:laura.barke@usdoj.gov)

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**From:** Verseman, Scott (USAILS) <[SVerseman@usa.doj.gov](mailto:SVerseman@usa.doj.gov)>

**Sent:** Friday, December 18, 2020 4:06 PM

**To:** Barke, Laura (USAILS) <[LBarke@usa.doj.gov](mailto:LBarke@usa.doj.gov)>

**Cc:** Roessler, Bradley R. (SI) (TFO) (FBI) <[broessler@fbi.gov](mailto:broessler@fbi.gov)>

**Subject:** RE: Filter Team Review of Jail Calls

Laura:

Once you've determined that the other speaker is Ms. Holt, please stop listening to the call. I'm concerned that if you go beyond that, the court will conclude that we've asked you to do a substantive review of the calls. That might run afoul of our obligation not to gather evidence in violation of legal privileges.

Thanks,

Scott

Scott A. Verseman  
Assistant United States Attorney  
Chief, Fraud & Corruption Unit  
9 Executive Drive  
Fairview Heights, IL 62208  
Desk: (618) 628-3713  
Cell: (618) 304-4978

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**From:** Barke, Laura (USAILS) <[LBarke@usa.doj.gov](mailto:LBarke@usa.doj.gov)>  
**Sent:** Friday, December 18, 2020 2:07 PM  
**To:** Verseman, Scott (USAILS) <[SVerseman@usa.doj.gov](mailto:SVerseman@usa.doj.gov)>  
**Cc:** Roessler, Bradley R. (SI) (TFO) (FBI) <[broessler@fbi.gov](mailto:broessler@fbi.gov)>  
**Subject:** RE: Filter Team Review of Jail Calls

Scott,

No problem. I am happy to help and will complete this as soon as possible.

I understand the instructions and just have one question. For the calls with Tiner's wife, do I need to listen to any portion of the call to determine if there is any discussion about the wife arranging for harm to a victim/witness? I was thinking that was referenced in our earlier conversation, but I may have misunderstood. I have not listened to any of the calls yet.

Thanks,  
Laura

Laura Barke  
(618) 628-3710  
[laura.barke@usdoj.gov](mailto:laura.barke@usdoj.gov)

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**From:** Verseman, Scott (USAILS) <[SVerseman@usa.doj.gov](mailto:SVerseman@usa.doj.gov)>  
**Sent:** Friday, December 18, 2020 1:05 PM  
**To:** Barke, Laura (USAILS) <[LBarke@usa.doj.gov](mailto:LBarke@usa.doj.gov)>  
**Cc:** Roessler, Bradley R. (SI) (TFO) (FBI) <[broessler@fbi.gov](mailto:broessler@fbi.gov)>  
**Subject:** Filter Team Review of Jail Calls

Laura:

Thanks again for agreeing to help us out with the Taint review of the Tiner's jailhouse calls. I know we met briefly in person to discuss this, but I wanted to document what we're asking of you.

As you know, Tiner has threatened to physically harm some of the victims/witnesses in this case. As a matter of due diligence, and for the safety of the victims/witnesses, the agents would like to listen to the jailhouse calls Tiner has made since he was arrested to ensure that he has not asked a friend or associate to harm anyone.

As you know, we are not permitted to listen to any calls between Tiner and his attorney(s). In addition, DOJ's PRAO office has advised us not to review any evidence that may be covered by one of the spousal privileges.

We would like you to briefly listen to each of the calls to determine whether the other party on the line is either an attorney or Tiner's wife. Once you have made that determination, please stop your review of the call and note on the log whether the other party is an attorney or Tiner's wife. After we receive the log with your notations, the agents will listen to all calls that do not involve an attorney or Tiner's wife.

You are not permitted to communicate the substance of any calls involving an attorney or Tiner's wife to me or any of the agents working on this case.

For purposes of assisting you in your review, please be advised of the following:

- 1) Tiner's wife is named Matissia Holt. I will ask Agent Roessler to forward to you any known telephone numbers for Ms. Holt.
- 2) Tiner is represented in the present case in the SD IL by Bill Margulis of St. Louis. The numbers I am aware for Mr. Margulis are: 314-390-0234; 314-390-0233; and 314-308-4958.
- 3) Tiner also claimed at one point to be represented by Federal Defender Preston Humphrey. The main office number for the Federal Defender's Office is 618-482-9050. That being said, any call with the "482" prefix is likely to involve someone from the Federal Defender's Office.

After you have finished your review, please notify Agent Roessler and provide him with the call log with your notations indicating which calls he is permitted to listen to.

Thank you again for your help. It is greatly appreciated!

Scott

Scott A. Verseman  
Assistant United States Attorney  
Chief, Fraud & Corruption Unit  
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Fairview Heights, IL 62208  
Desk: (618) 628-3713  
Cell: (618) 304-4978